

FORMALITIES LETTER



OC00000005151952

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
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09/538,602

03/29/2000

Brian P. Dougherty

4562 US

Michael R Blum
Fenwick & West LLP
Two Palo Alto Square
Palo Alto, CA 94306



Date Mailed: 06/01/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$842.
 - \$504 for 28 total claims over 20.
 - \$78 for 1 independent claims over 3 .
 - \$260 for multiple dependent claim surcharge.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1662.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

07/07/2000 CVORACHA 00000053 09538602

01 FC:101	690.00	OP
02 FC:104	260.00	OP
03 FC:105	130.00	OP
04 FC:103	522.00	OP
05 FC:102	312.00	OP



Sector \$
PATENT

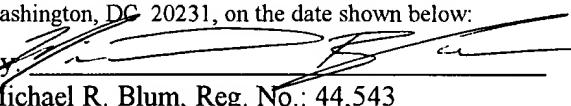
IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

APPLICANT(S): **Brian P. Dougherty et al.**
SERIAL NO.: **09/538,602**
FILING DATE: **March 29, 2000**
TITLE: **Using the Electronic Program Guide to Synchronize Interactivity with Broadcast Programs**
EXAMINER: **Unknown**
GROUP ART UNIT: **2743**
ATTY. DOCKET. NO.: **19502-04562**

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, DC 20231, on the date shown below:

Dated: 6/30/00

By 
Michael R. Blum, Reg. No.: 44,543

Box Missing Parts
Assistant Commissioner for Patents
Washington, DC 20231

**RESPONSE TO NOTICE TO FILE MISSING
PARTS OF APPLICATION**

Sir:

Responsive to the Notice to File Missing Parts dated June 1, 2000 for the above-identified patent application, enclosed are:

- payment in the amount of \$1,914 for the filing fee (\$690), excess total claims charge (\$522), excess independent claims charge (\$312), multiple dependent claim surcharge (\$260) and late filing surcharge (\$130).
- Applicants wish to point out that the excess claims fees as provided on the Notice, as well as the Total Claims and Independent Claims listed on the Filing Receipt, have been calculated incorrectly by the Office. Applicants believe the Total Claims for this

application are 49 (with 29 excess claims) and the Independent Claims total 7 (with 4 excess claims).

- Fee Transmittal (in duplicate).
- a signed Verified Statement.
- an original, signed Declaration.
- a copy of the Notice to File Missing Parts.
- Other:

Respectfully submitted,

Brian P. Dougherty et al.

Dated:

6/30/00

By:


Michael R. Blum, Reg. No. 44,543

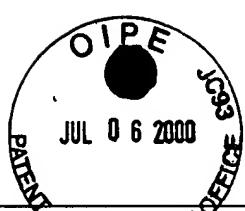
Fenwick & West LLP

2 Palo Alto Square

Palo Alto, CA 94306

Tel.: (415) 875-2468

Fax: (415) 281-1350



PTO/SB/17 (6-95)(modified)
Approved for use through 11/30/96, OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

0002/PTO(modified)
Rev. 10/95

U.S. Department of Commerce
Patent and Trademark Office

FEE TRANSMITTAL

TOTAL AMOUNT OF PAYMENT

Subtotal (1) + Subtotal (2) + Subtotal (3) = **(\$1,914)**

Complete if Known	
Application Number	09/538,602
Filing Date	March 29, 2000
First Named Inventor	Brian P. Dougherty et al.
Group Art Unit	2743
Examiner Name	Unknown
Attorney Docket Number	19502-04562

METHOD OF PAYMENT		FEE CALCULATION (continued)																																																																																																																																										
1. The Commissioner is hereby authorized to: <p><input type="checkbox"/> Charge the indicated fees to the below mentioned deposit account.</p> <p><input checked="" type="checkbox"/> Charge any additional fee required under 37 CFR 1.16 - 1.21 or credit any over payments to the below mentioned deposit account. [†]</p> <p><input type="checkbox"/> Charge the Issue Fee set in 37 CFR 1.18 at the Mailing of the Notice of Allowance, 37 CFR 1.311(b) to the below mentioned deposit account.</p> <p>Deposit Account Number: 19-2555 Deposit Account Name: FENWICK & WEST LLP</p> <p>A Duplicate Copy of this authorization is attached</p> <p>2. <input checked="" type="checkbox"/> Payment Enclosed: [<input checked="" type="checkbox"/> Check] [<input type="checkbox"/> Other]</p>		3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Large Entity Fee Code/Fee</th> <th>Small Entity Fee Code/Fee</th> <th>Fee Description</th> <th>Fee Due</th> </tr> </thead> <tbody> <tr><td>105/\$130</td><td>205/\$65</td><td>Surcharge - late filing fee or oath</td><td>130</td></tr> <tr><td>127/\$50</td><td>227/\$25</td><td>Surcharge-late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>147/\$2,520</td><td>147/\$2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>115/\$110</td><td>215/\$55</td><td>Extension for response within first month[†]</td><td></td></tr> <tr><td>116/\$380</td><td>216/\$190</td><td>Extension for response within second month[†]</td><td></td></tr> <tr><td>117/\$870</td><td>217/\$435</td><td>Extension for response within third month[†]</td><td></td></tr> <tr><td>118/\$1,360</td><td>218/\$680</td><td>Extension for response within fourth month[†]</td><td></td></tr> <tr><td>128/\$1,850</td><td>228/\$925</td><td>Extension for response within fifth month[†]</td><td></td></tr> <tr><td>119/\$300</td><td>219/\$150</td><td>Notice of Appeal</td><td></td></tr> <tr><td>141/\$1,210</td><td>241/\$605</td><td>Petition to revive unintentionally abandoned application</td><td></td></tr> <tr><td>142/\$1,210</td><td>242/\$605</td><td>Utility Issue Fee (Or Reissue)</td><td></td></tr> <tr><td>143/\$430</td><td>243/\$215</td><td>Design Issue Fee</td><td></td></tr> <tr><td>122/\$130</td><td>122/\$130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>123/\$50</td><td>123/\$50</td><td>Petitions related to provisional applications</td><td></td></tr> <tr><td>126/\$240</td><td>126/\$240</td><td>Submission of Information Disclosure Statement</td><td></td></tr> <tr><td>581/\$40</td><td>581/\$40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>146/\$690</td><td>246/\$345</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>149/\$690</td><td>249/\$345</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr> <td align="right" colspan="2">Other fee (specify):</td> <td colspan="2"></td> </tr> <tr> <td align="right" colspan="2">Other fee (specify):</td> <td colspan="2"></td> </tr> <tr> <td align="right" colspan="2">SUBTOTAL (1) (\$690)</td> <td align="right" colspan="2">SUBTOTAL (3) (\$130)</td> </tr> <tr> <td align="right" colspan="4"> <table border="1"> <thead> <tr> <th>(Col. 1)</th> <th>(Col. 2)</th> <th>(Col. 3)</th> <th></th> <th></th> </tr> <tr> <th>For</th> <th>No. of Existing Claims</th> <th>Highest No. Previously Paid For</th> <th>Extra**</th> <th>Fee</th> </tr> </thead> <tbody> <tr> <td>TOTAL</td> <td>49</td> <td>20 or</td> <td>= 29</td> <td>x 18 = 522</td> </tr> <tr> <td>INDEP</td> <td>7</td> <td>minus* 3 or</td> <td>= 4</td> <td>x 78 = 312</td> </tr> <tr> <td colspan="4">[<input checked="" type="checkbox"/> First presentation of multiple dependent claim]</td> <td>= 260</td> </tr> </tbody> </table> </td> </tr> <tr> <td align="right" colspan="4">* Subtract the greater number of Col. 2</td> </tr> <tr> <td align="right" colspan="4">** If the difference between Col. 1 and Col. 2 is less than zero, then enter "0" in Col. 3</td> </tr> <tr> <td align="right" colspan="2">SUBMITTED BY</td> <td align="right" colspan="2">Complete (if applicable)</td> </tr> <tr> <td align="right">Typed or Printed Name</td> <td align="right">Michael R. 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Number</td> <td align="right">44,543</td> </tr> <tr> <td align="right">Signature</td> <td align="right"></td> <td align="right">Date</td> <td align="right">6/30/00</td> </tr> </tbody> </table>		Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	Fee Due	105/\$130	205/\$65	Surcharge - late filing fee or oath	130	127/\$50	227/\$25	Surcharge-late provisional filing fee or cover sheet		147/\$2,520	147/\$2,520	For filing a request for reexamination		115/\$110	215/\$55	Extension for response within first month [†]		116/\$380	216/\$190	Extension for response within second month [†]		117/\$870	217/\$435	Extension for response within third month [†]		118/\$1,360	218/\$680	Extension for response within fourth month [†]		128/\$1,850	228/\$925	Extension for response within fifth month [†]		119/\$300	219/\$150	Notice of Appeal		141/\$1,210	241/\$605	Petition to revive unintentionally abandoned application		142/\$1,210	242/\$605	Utility Issue Fee (Or Reissue)		143/\$430	243/\$215	Design Issue Fee		122/\$130	122/\$130	Petitions to the Commissioner		123/\$50	123/\$50	Petitions related to provisional applications		126/\$240	126/\$240	Submission of Information Disclosure Statement		581/\$40	581/\$40	Recording each patent assignment per property (times number of properties)		146/\$690	246/\$345	Filing a submission after final rejection (37 CFR 1.129(a))		149/\$690	249/\$345	For each additional invention to be examined (37 CFR 1.129(b))		Other fee (specify):				Other fee (specify):				SUBTOTAL (1) (\$690)		SUBTOTAL (3) (\$130)		<table border="1"> <thead> <tr> <th>(Col. 1)</th> <th>(Col. 2)</th> <th>(Col. 3)</th> <th></th> <th></th> </tr> <tr> <th>For</th> <th>No. of Existing Claims</th> <th>Highest No. Previously Paid For</th> <th>Extra**</th> <th>Fee</th> </tr> </thead> <tbody> <tr> <td>TOTAL</td> <td>49</td> <td>20 or</td> <td>= 29</td> <td>x 18 = 522</td> </tr> <tr> <td>INDEP</td> <td>7</td> <td>minus* 3 or</td> <td>= 4</td> <td>x 78 = 312</td> </tr> <tr> <td colspan="4">[<input checked="" type="checkbox"/> First presentation of multiple dependent claim]</td> <td>= 260</td> </tr> </tbody> </table>				(Col. 1)	(Col. 2)	(Col. 3)			For	No. of Existing Claims	Highest No. Previously Paid For	Extra**	Fee	TOTAL	49	20 or	= 29	x 18 = 522	INDEP	7	minus* 3 or	= 4	x 78 = 312	[<input checked="" type="checkbox"/> First presentation of multiple dependent claim]				= 260	* Subtract the greater number of Col. 2				** If the difference between Col. 1 and Col. 2 is less than zero, then enter "0" in Col. 3				SUBMITTED BY		Complete (if applicable)		Typed or Printed Name	Michael R. 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[†] Request for Extension of Time per 37 CFR 1.136 (a)(3) made hereby